

Exhibit D

Dog Bite Prevention for Law Enforcement



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COR 00072

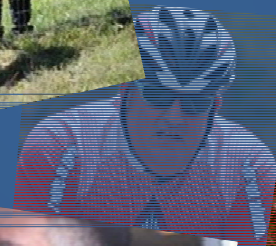
Introductions

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Lollypop Farm

COR 00074

Objectives

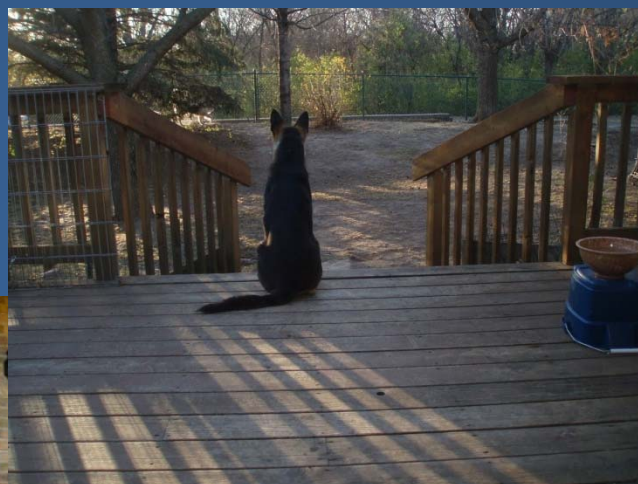
- Know the common dog encounter scenarios that lead to dog bites.
- Give 4 signs or actions to perform to determine whether dogs are on the property.
- Identify how to avoid dog bites.
- Recognize 3 physical signs of aggressive dogs.
- Be familiar with improvised tools for dealing with aggressive dogs.
- Know techniques to minimize personal injury in the event you are attacked.



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Officers will encounter a dog in at least 1 out of 3 residences.



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Problems for Law Enforcement

Consequences of Inappropriate Action

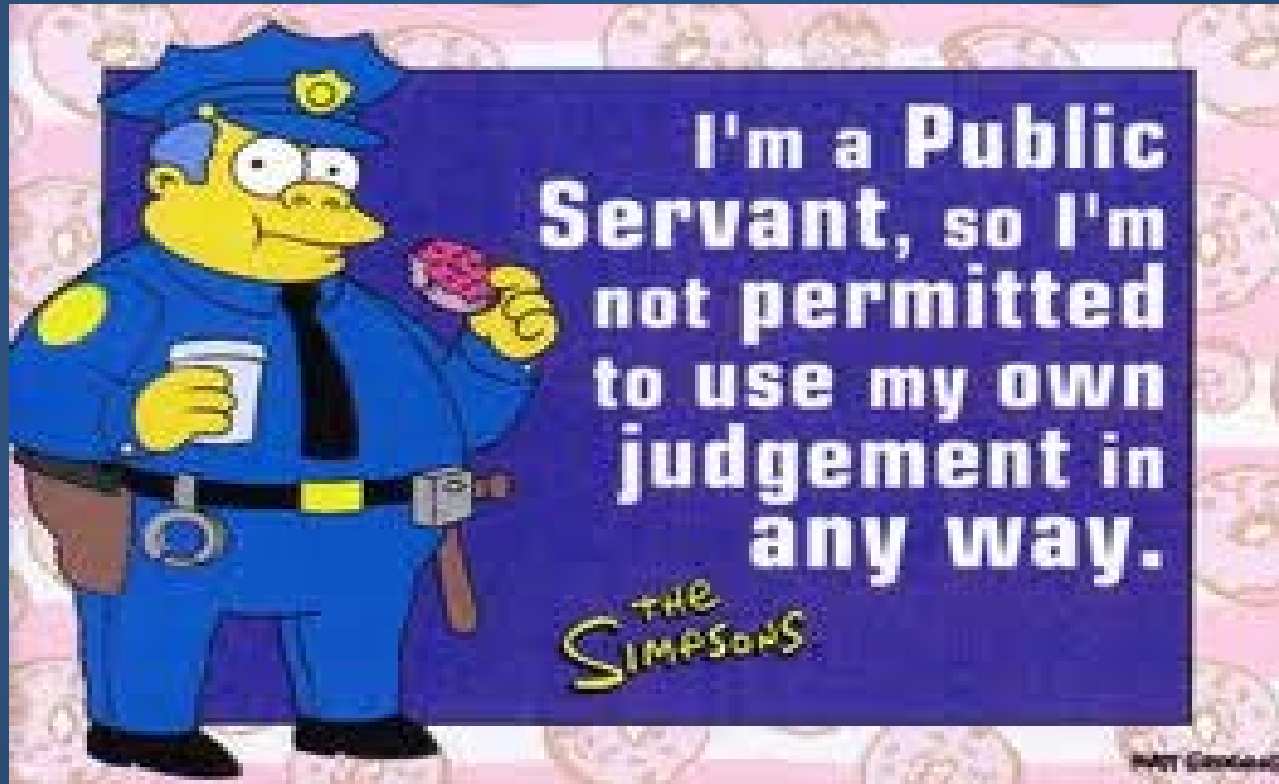
- Unnecessary injury or killing of animals who are not a threat.
- Risk of self-inflicted injury, friendly fire, or bystander injury.
- Negative public image of officers, departments, and profession as a whole.
- Lawsuits and legal actions (e.g., worker comp claims, IA investigations, etc.).



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Officer Liability



NY State Law

- Pets are personal property
- Animals must be humanely destroyed solely by means of injection of sodium pentobarbital or sodium pentobarbital
- Except an animal by gunshot is permissible... for an animal that is posing an imminent threat of serious physical injury to a person or to another animal...or so injured that humane euthanasia is impossible



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Fourth Amendment

- 4th amendment does not include term of “Personal Property”
- Supreme court held “Personal Property” is considered an “Effect”
- Destruction of a pet can be classified as an unlawful seizure



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Immunity

- Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and the laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress . . .
- [42 U.S.C. § 1983](#) .



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Municipal Immunity

Only “if there is a direct casual link between a municipal policy or custom and the alleged constitutional deprivation” can municipality immunity be defeated. [City of Canton v. Harris , 489 U.S. 378, 385 \(1989\) .](#)



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Individual Officer Immunity

- Officers subject to two prong test:
 1. Officer action violated Constitutional right
 2. Under the circumstances, a reasonable official would have known that his or her conduct violated the right

Newsome v. Erwin

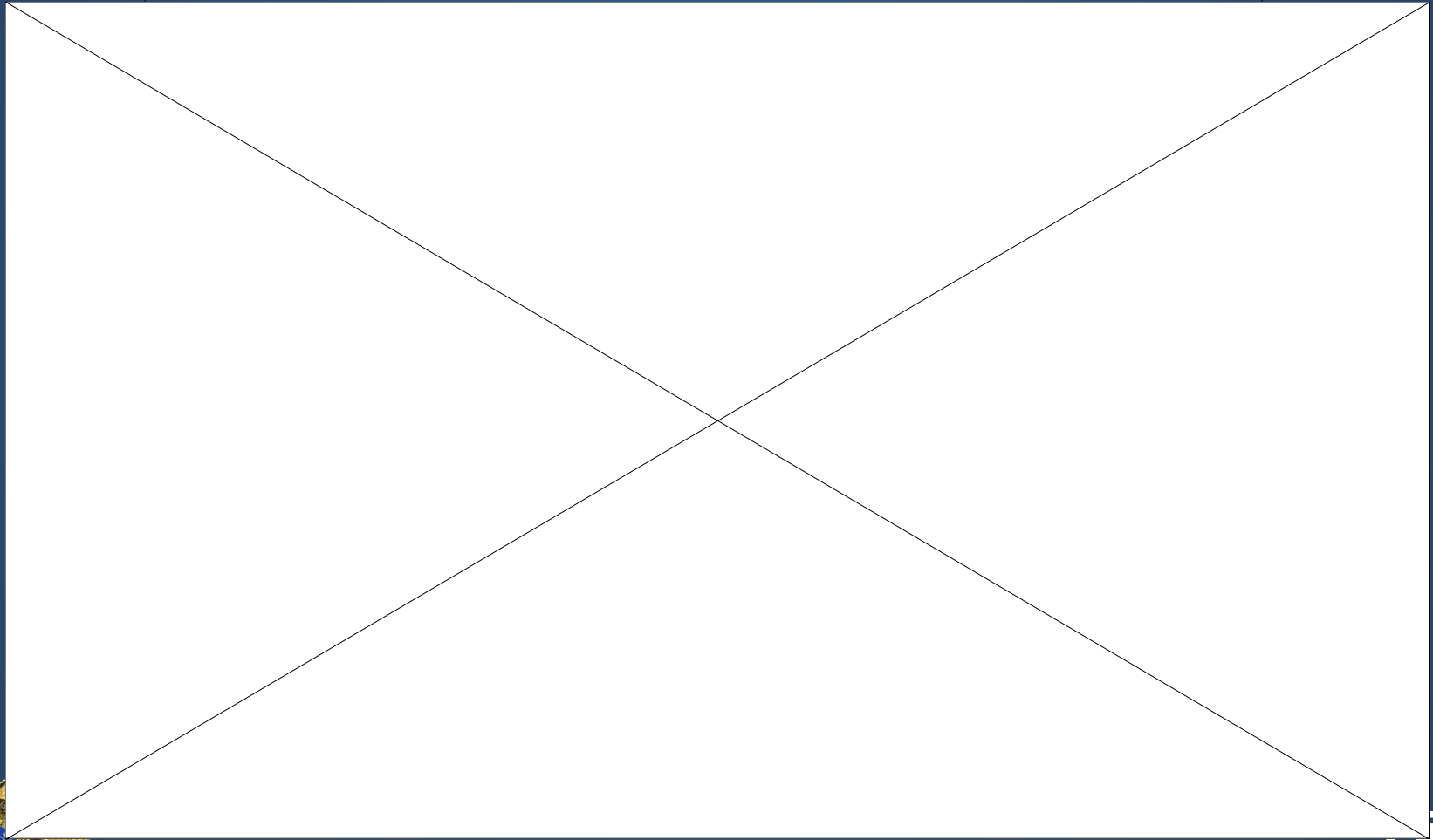


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Problems for Law Enforcement

Consequences of Inappropriate Action



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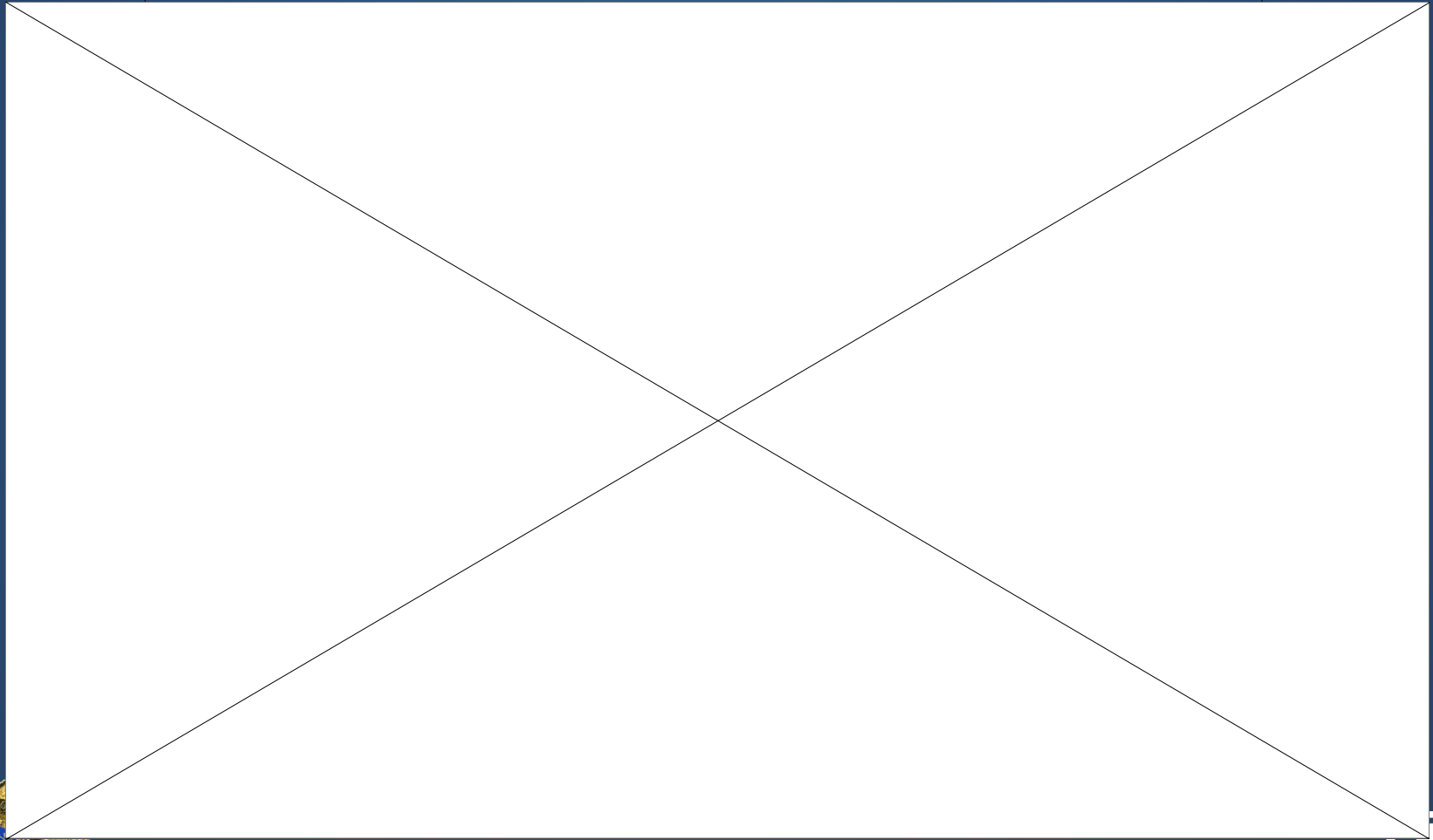


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Problems for Law Enforcement

Consequences of Inappropriate Action



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Why Do Dogs Bite?

- Excitement / Play
- Possession / Protection (e.g., female with pups)
- Fear
- Accidental
- Attention
- Sick / Injured
- Dangerous dog



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Animal Force Continuum

- Dogs use force to protect themselves or others they believe are in their pack.
- Dogs use only as much force as necessary:
 1. Vocal warning
 2. Inhibited bite
 3. Uninhibited bite
 4. Lethal



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Factors Contributing to Dog Bites

- Biological factors:
Breed, sex, spay/neuter
- Training
- Socialization
- Supervision
- Victim behavior



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Dog Postures



Playful

Ears up
Eyes soft
Front end lower ready to leap
Tail up loosely wagging



Defensive Threat

Ears back
Hackles may be up
Muzzle tense, wrinkled
Tail down & tense



Confident Alert

Ears up, forward
Eyes large, staring
Muzzle tense lips lifted to show teeth
Tail up, stiff wag



Passive Appeasement

On back belly exposed
Ears back
Indirect eye contact
Tail tucked



Active Appeasement

Ears back
Eyes half closed
Raised paw
Mouth nearly closed tongue tip darts out
Tail low slow wag



Offensive Aggression

Ears erect
Hackles may be up
Lip curled
Teeth bared, snarling
Tail stiff raised



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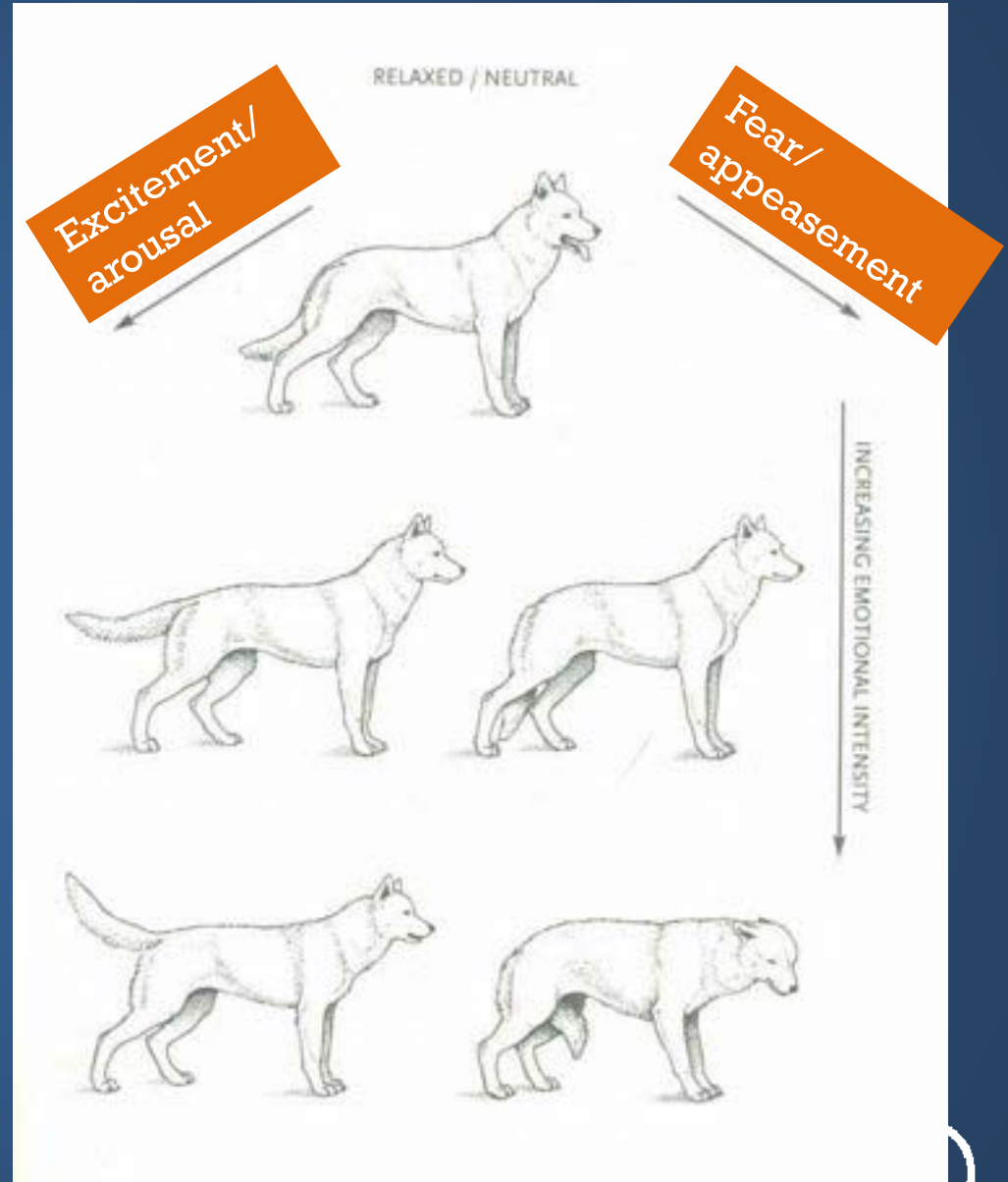
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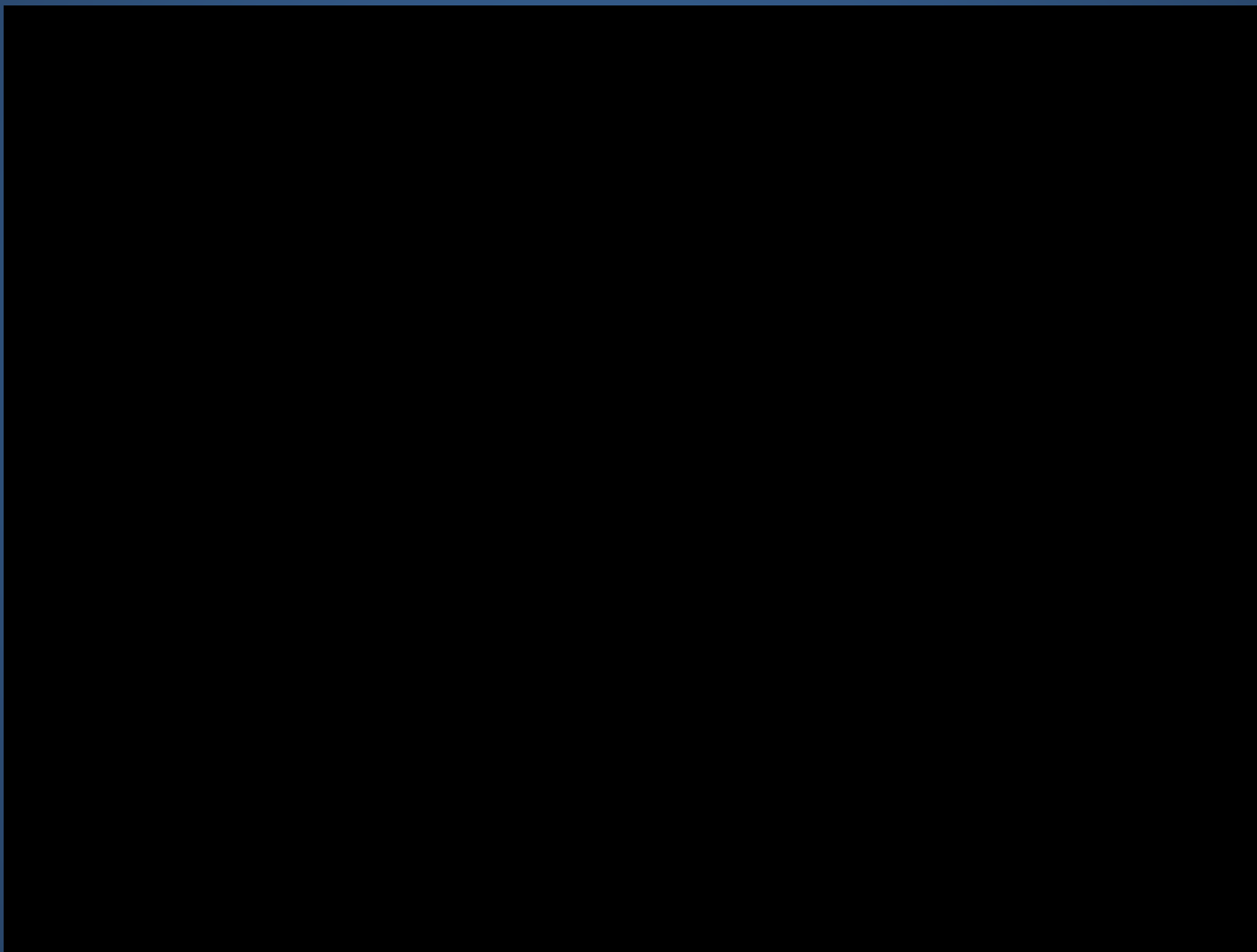
Overall Posture

The most important thing is whether the dog is:

Stiff & Still
vs.
Loose & Wiggly



Stiff & Still vs. Loose & Wiggly



Signals of Increasing Discomfort/Stress/Tension: Warning Signs

- Hard direct eye contact
- Stiff and still body posture
- Freezing: stopping all motion
- Tension in face



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Aggression: Stop What You Are Doing

- Growling
- Snarling/showing teeth
- Lunging
- Snapping
- Biting



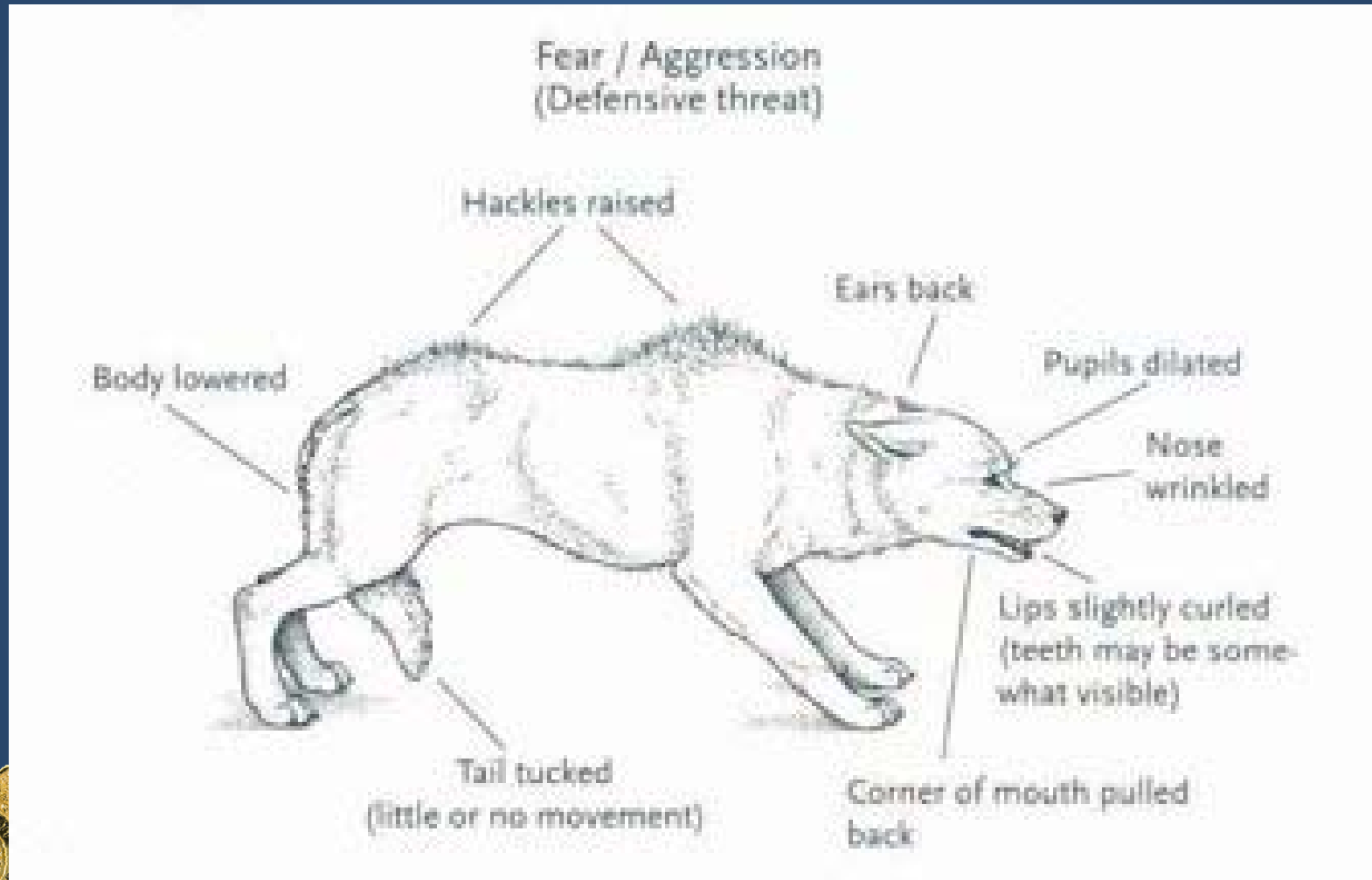
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Fear Aggression: low body, all teeth showing, crouched/hunched posture, tail tucked



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Fear Aggression: low body, all teeth showing, crouched/hunched posture, tail tucked



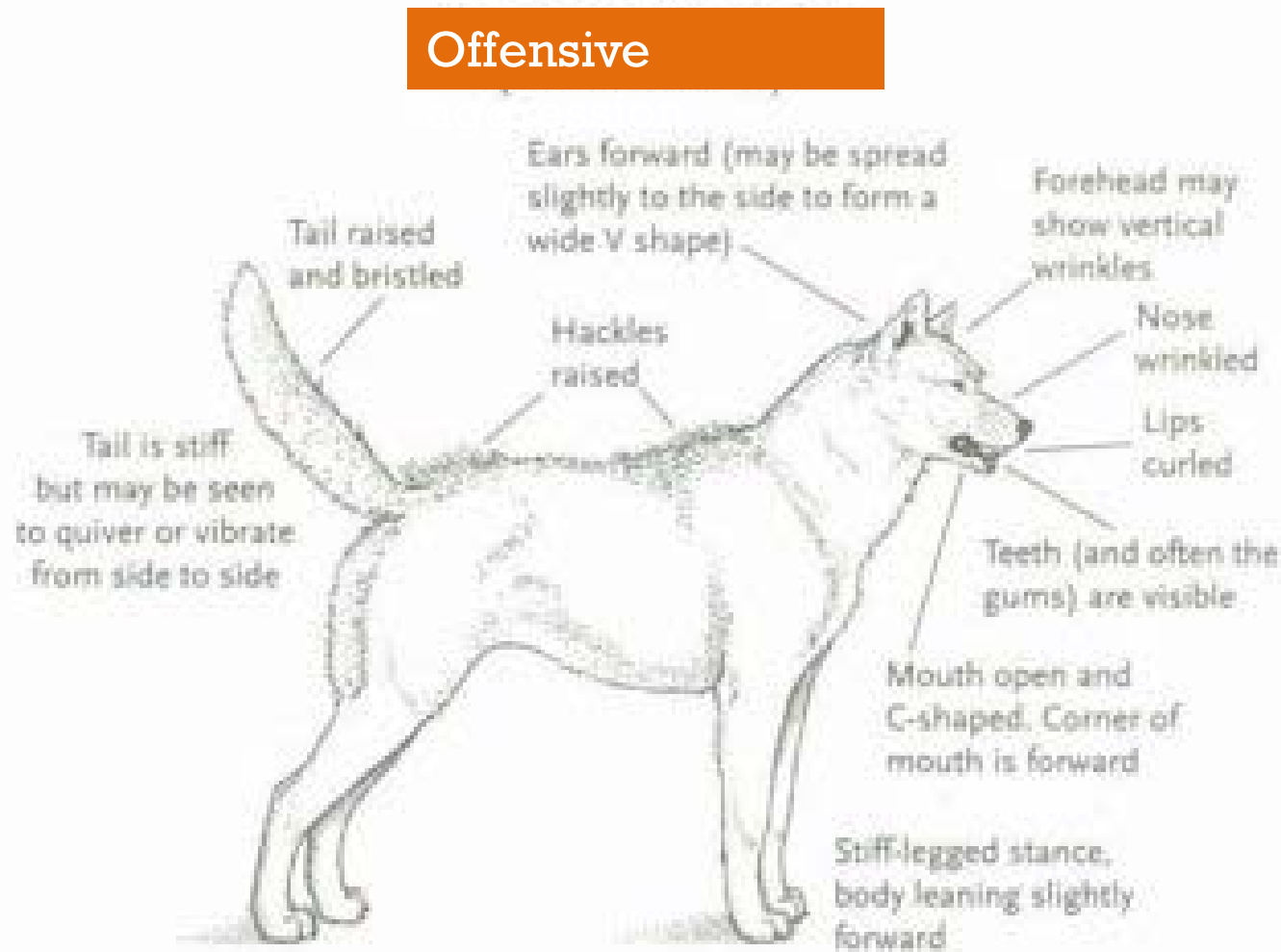
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Offensive Aggression: posture erect, weight forward, tail up, mouth puckered, front teeth showing



Offensive Aggression: posture erect,
weight forward, tail up, mouth puckered, front teeth showing



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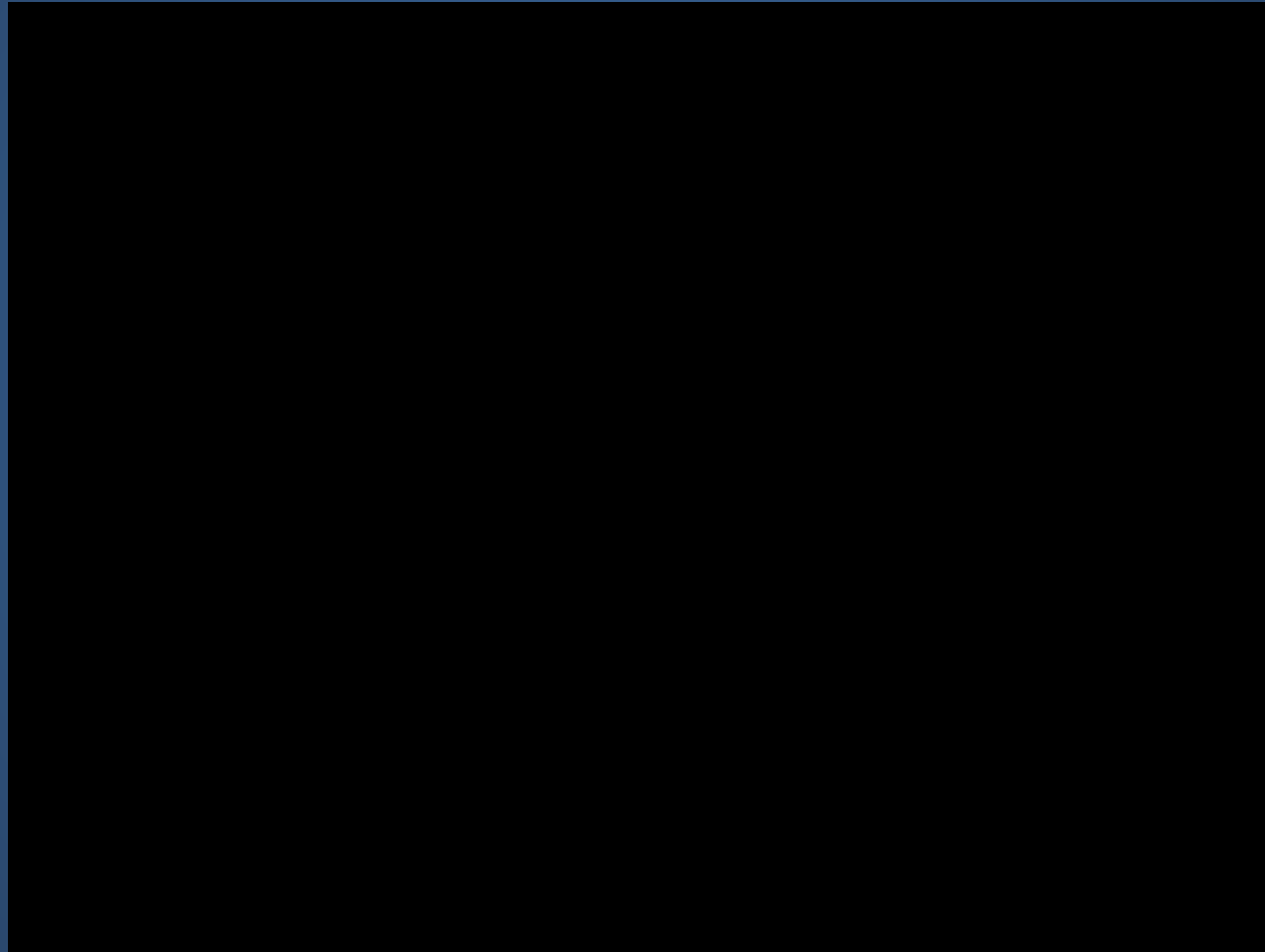


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COR 00097

Things can change very quickly!

Dogs can give conflicting signals...

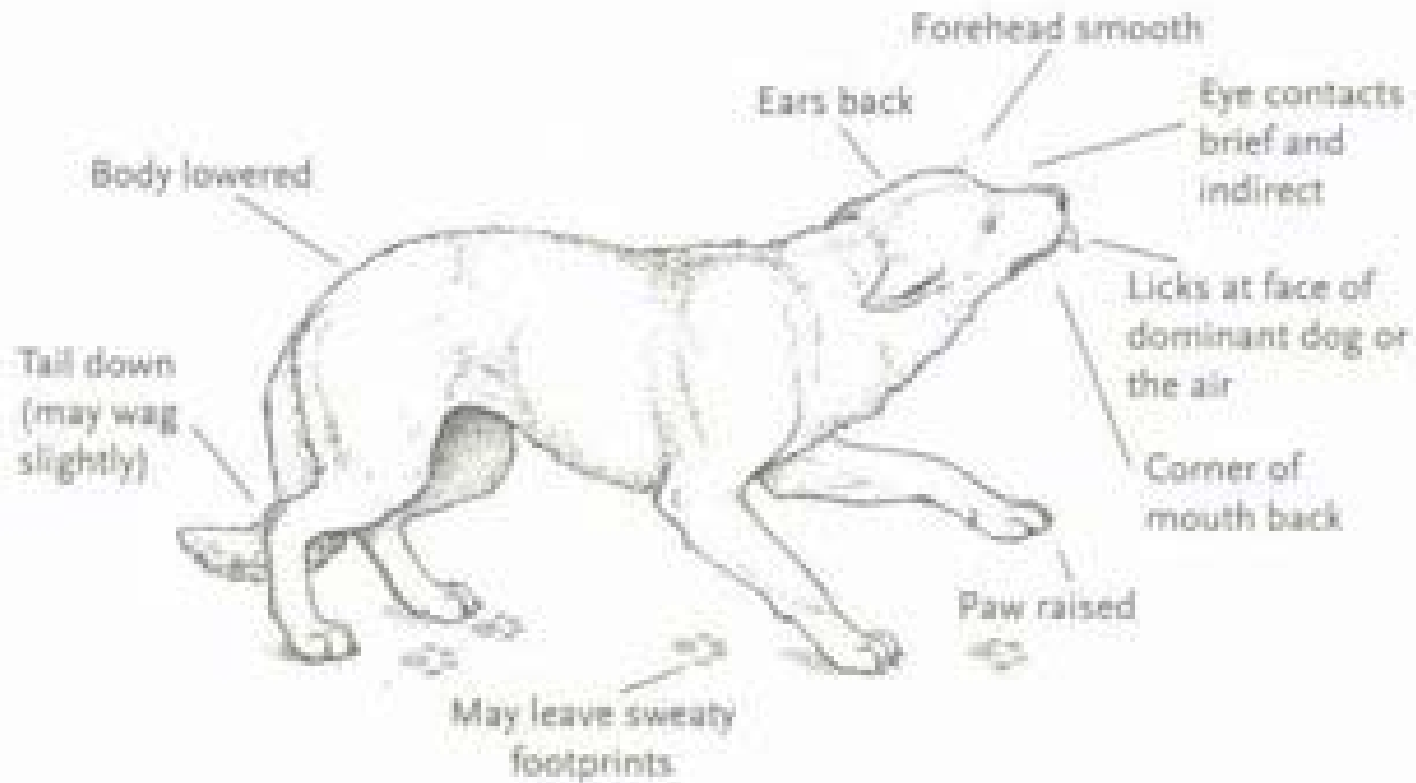


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Appeasement

Active



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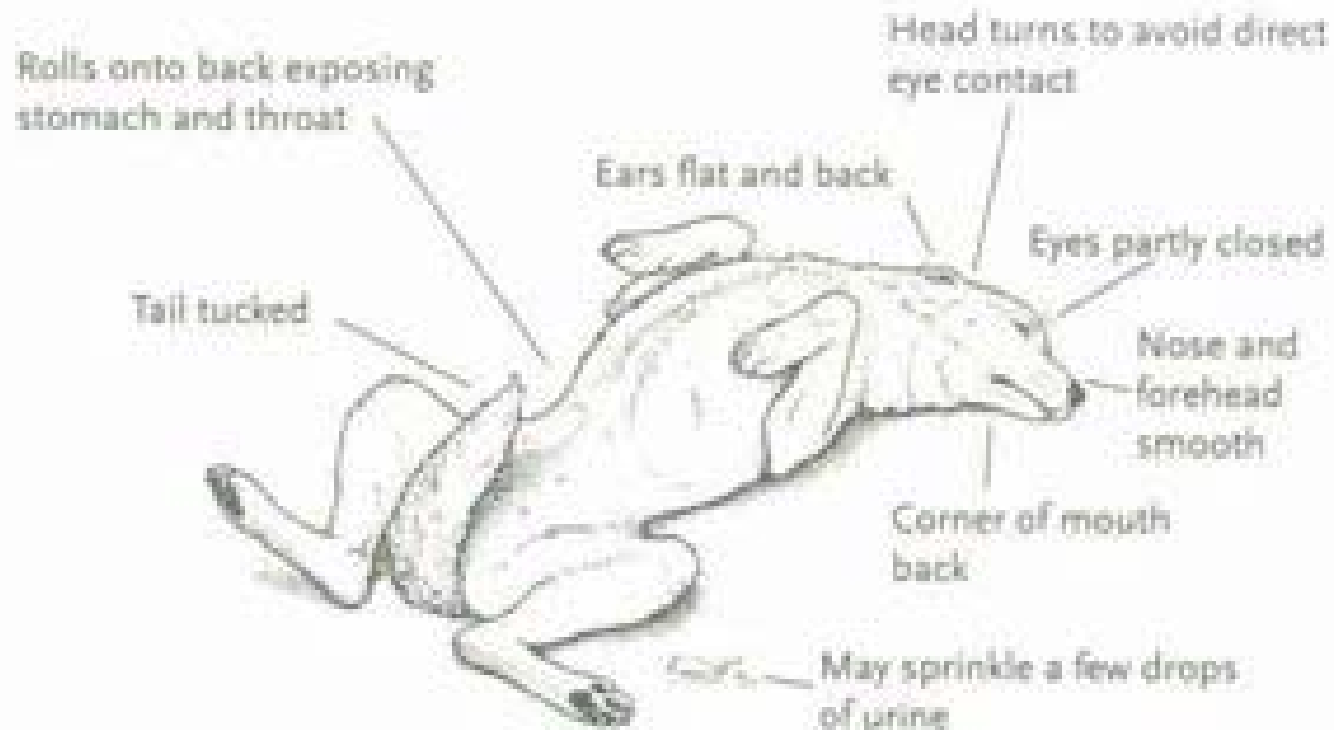


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Appeasement/Fear

Appeasement/ Fear



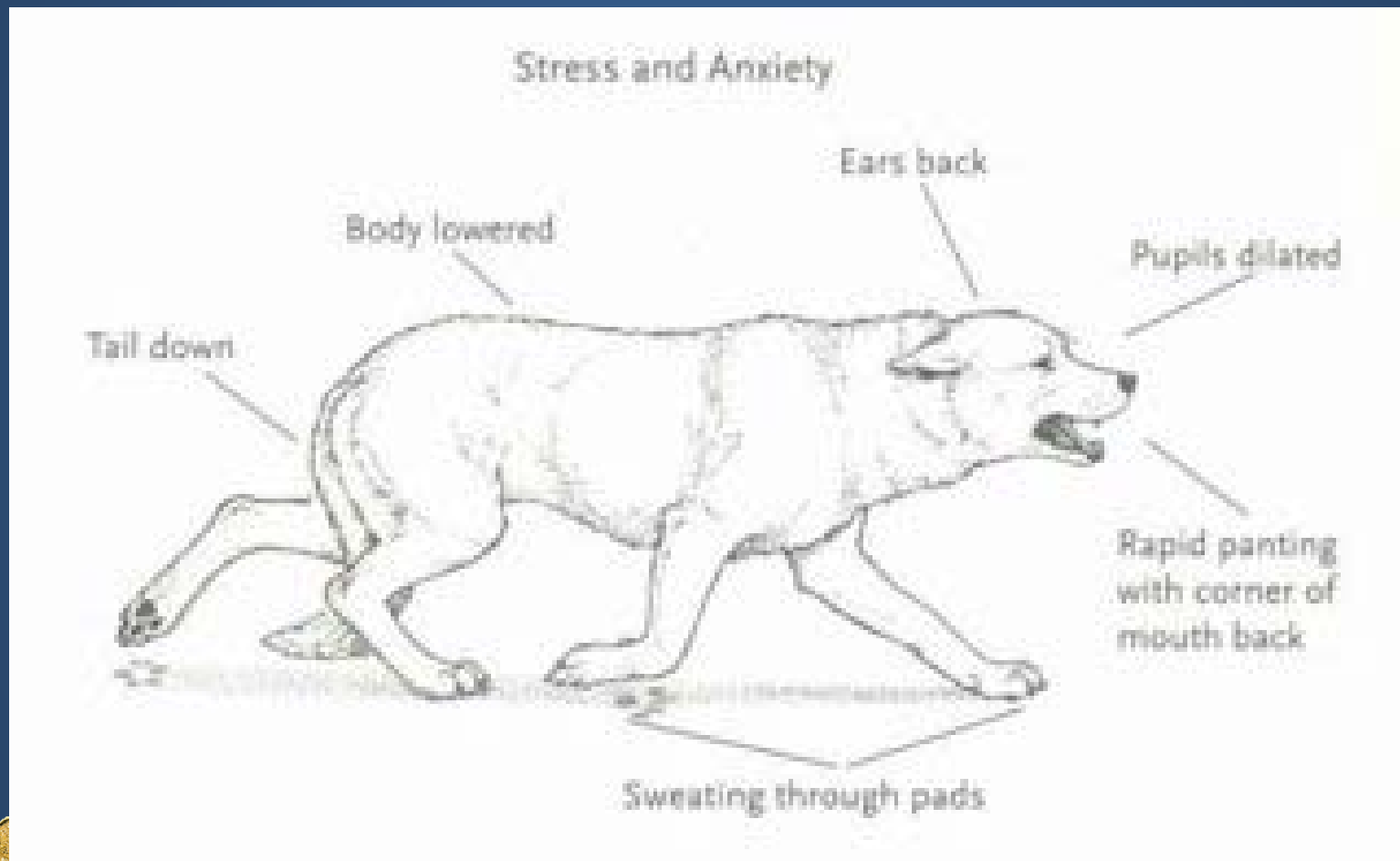
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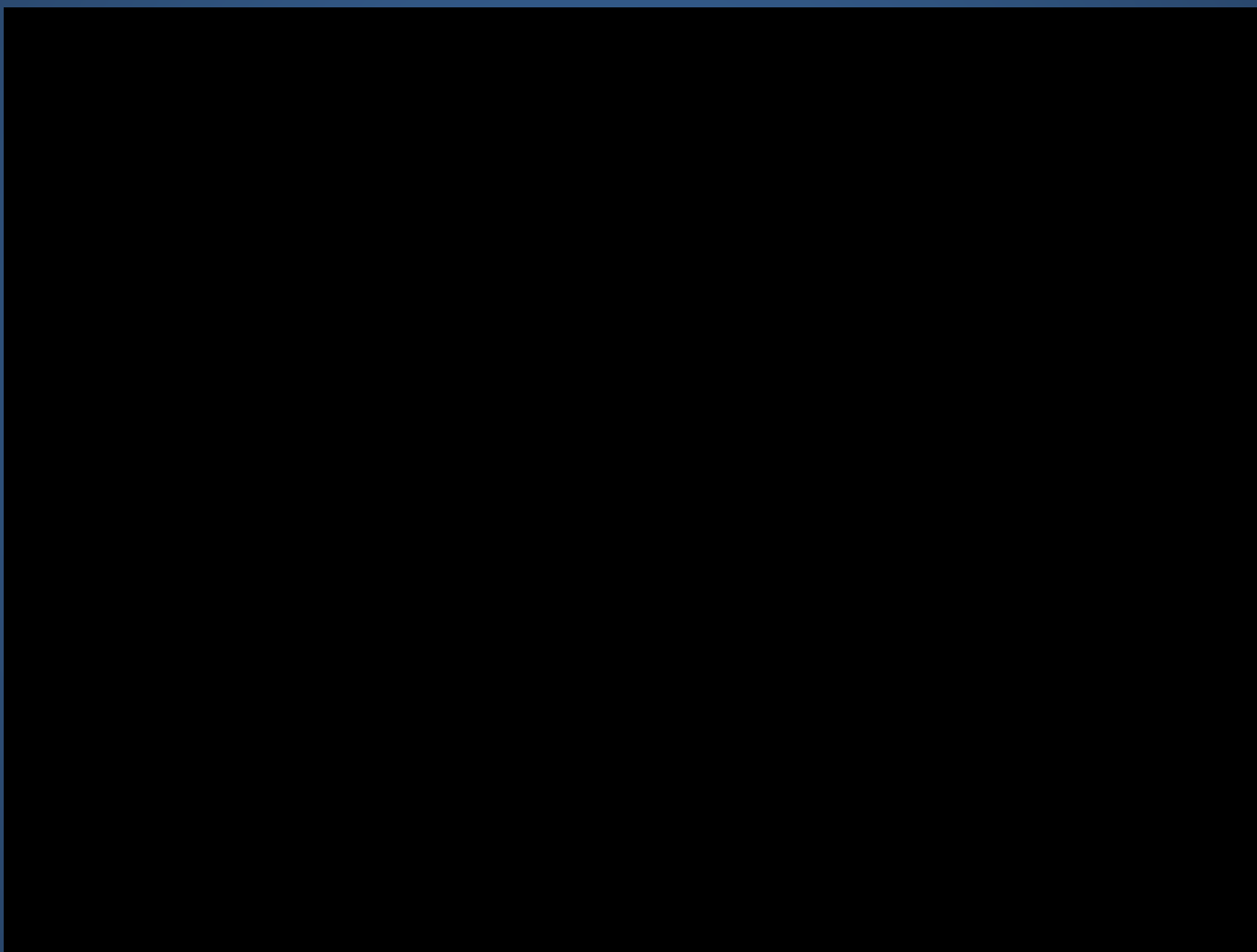
Stressed, Anxious, Fearful



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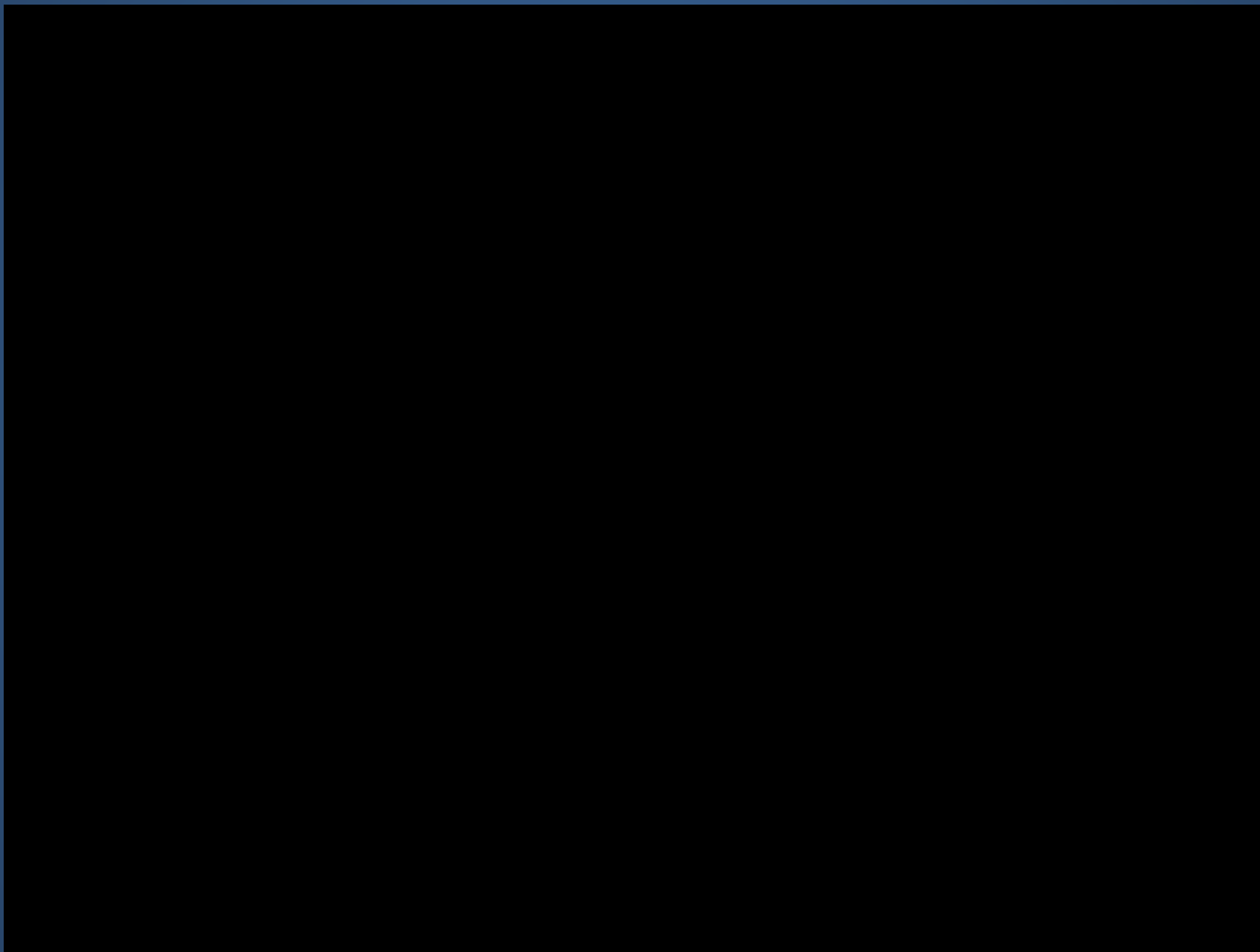
Fear: Active Appeasement



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Fearful: Defensive Threat



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Stress Signals: Lip Licking



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Stress Signals:

mouth - open & relaxed to closed & tense



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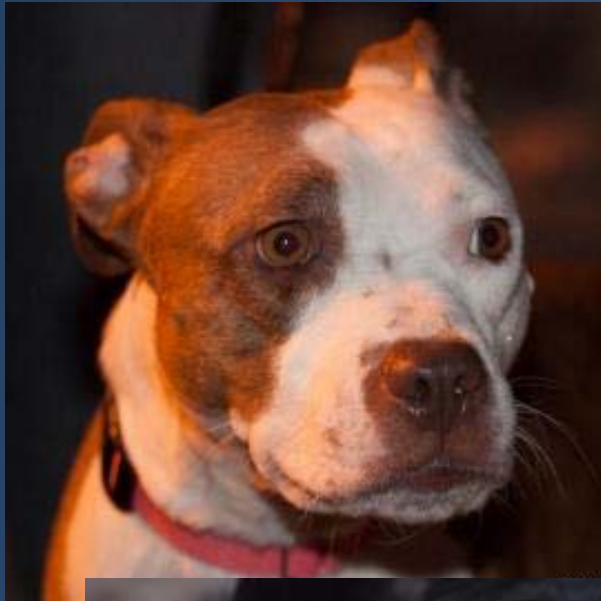


COR 00105

Stress Signals:

head turns, diverting gaze

Whale eye – showing the whites of their eyes



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Other Stress Signals

- Shake off
- Scratching
- Yawning
- Excessively sniffing the ground



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Do you approach these two dogs the same way?



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- <http://www.youtube.com/watch?v=bNjO33zQJPg>
- MD Night



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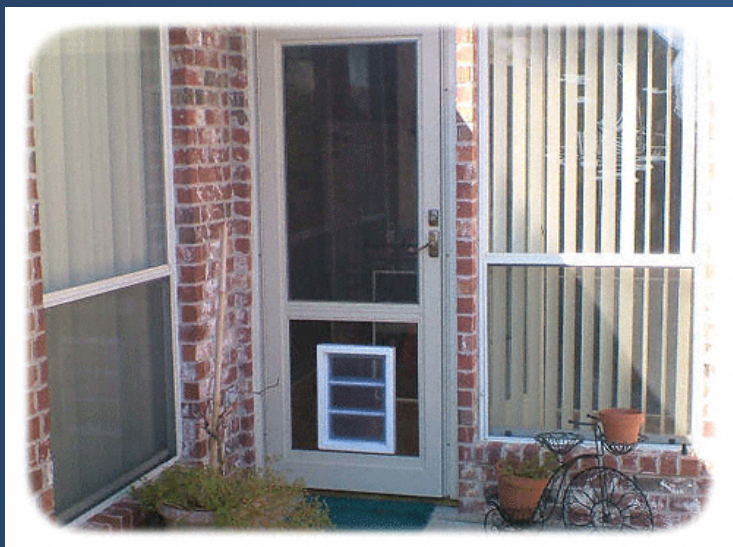
Best Practice for Approaching Dogs On the Job



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The Signs



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The Encounter

- Announce your arrival:
 - Jiggle Fence
 - Whistle
 - Shake keys
 - Inquire about dogs before entering
 - Ask for dog to be secured



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Talk to the Dog

Communicate Safety and Appeasement:

- If a dog approaches and is non-threatening, allow him to investigate you.
- Continue to speak to her.
- DO NOT attempt to pet the dog.



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Talk to the Dog

Communicate Confidence or Threat:

- If dog is displaying threatening behavior speak in forceful tone.
- Give commands like “Sit” or “Stay.”
- If dog continues threatening, try to appear larger speak in low loud voice: “Back off!”



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Bite Prevention Tools

Physical Repellents

- Bite stick, Baton/ ASP
- Umbrellas
- Improvised
 - Flashlight
 - Stick
 - Rolled up magazine
 - Clipboard
 - Road flare



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Bite Prevention Tools

Chemical Repellents

- Oleoresin Capsicum
- Citronella Spray (Direct Stop)

Electronic Repellents

- Ultrasonic
- Stun Guns
- Taser

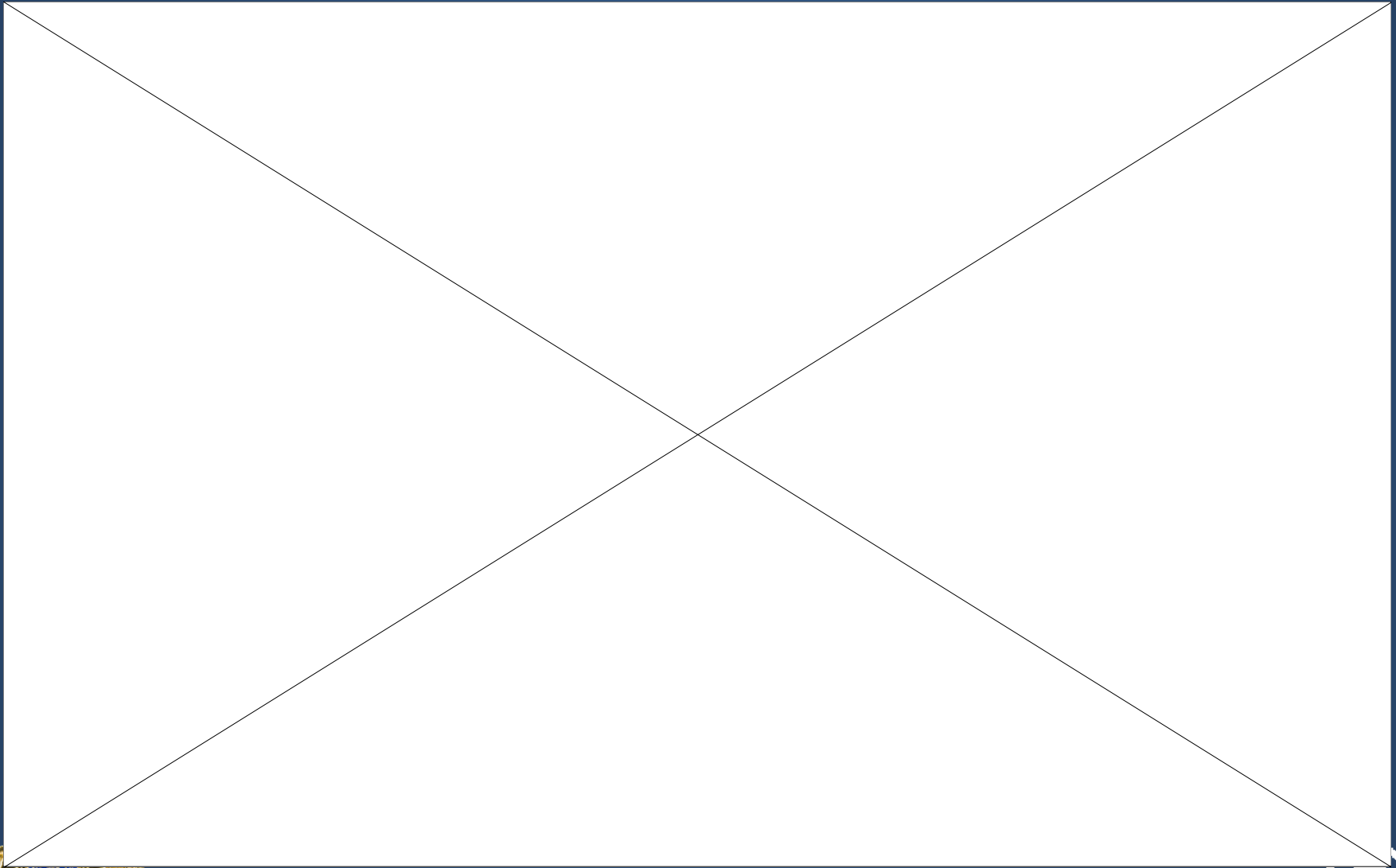
Improvised

- CO₂ fire extinguisher



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Suggested Practice

Force Continuum:

- Respond in claim friendly behavior.
- Respond with confidence or threat.
- Use chemical repellents like OC, Pepperball.
- Use physical repellents like Baton, bite stick, Fire extinguisher, Taser.
- Lethal force



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Quick Assessment

Questions to Ask

- Has dog already bitten someone?
- Where is the dog? Where is the owner?
- Are there bystanders?
- How is the dog moving?
- What is the dog's body language?
- How is dog responding to your commands?
- What defenses do you have available?
- Do I have an escape option?



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If You Are Bitten

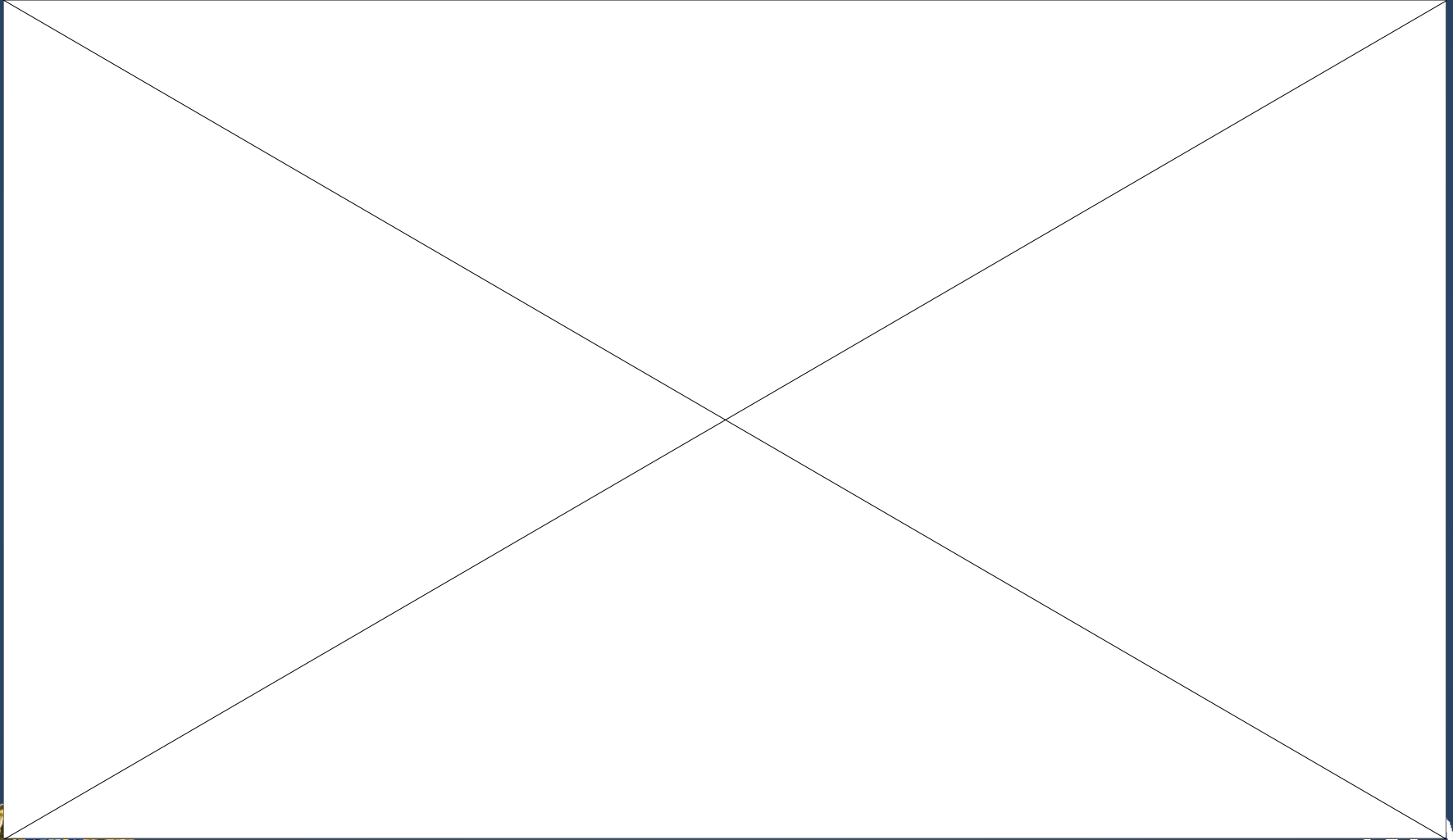
- Do not pull away (may cause more injury).
- Move in to the bite (dog's instinctual reflex is to release).
- If knocked down, curl into ball to protect your neck and throat.
- Try not to scream or move.



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Video



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Questions and Discussion



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